

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

TZANN FANG, M.D.,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 3:19-cv-00362
)	
HYATT CORPORATION, et al.)	
)	
Defendants.)	

PLAINTIFF’S EXPERT DISCLOSURES
PURSUANT TO FED. R. CIV. P. 26(a)(2)

Plaintiff Tzann Fang, M.D. (“Dr. Fang”), by counsel, hereby discloses the following experts and treating physicians in accordance with Rule 26(a)(2) of the Federal Rules of Procedure.

The following individuals, whose curriculum vitae are either attached hereto or will be hereafter provided to Defendants, are incorporated herein, may provide expert testimony at trial. Dr. Fang reserves the right to designate additional experts to rebut Defendants’ expert designations or in response to any new matters raised in Defendants’ expert witness disclosure, or to use any of the following experts for such purpose. The following disclosures are, in part, the product of the attorney for Dr. Fang and do not purport to be precise language used, or that will be used, by the designated expert.

1. RETAINED WITNESSES

**A. Dennis Driscoll, P.E.
Associates in Acoustics, Inc.
31385 Burn Lane
Evergreen, CO 80439**

Dennis Driscoll, P.E. is a noise exposure expert who received his undergraduate degree and Master of Science in Mechanical Engineering from North Carolina State University in Raleigh, North Carolina. Mr. Driscoll is a Registered Professional Engineer, and a Board Certified Noise Control Engineer by the Institute of Noise Control Engineering. Mr. Driscoll is the President and Principal Consultant of Associates in Acoustics, Inc. Mr. Driscoll has won numerous awards from national hearing associations and further, has published articles on noise exposure in several scientific publications. Mr. Driscoll performed a Rule 35 Inspection of the hotel room and alarm detector. Mr. Driscoll's opinions to be elicited at trial are included in his report, which is appended hereto as **Exhibit A**. Mr. Driscoll's curriculum vitae is also attached as **Exhibit B**.

**B. Daryl L. Ebersole, P.E., CFEI
345 North Prince Street
Lancaster, PA 17603**

Daryl L. Ebersole, P.E., CFEI is a Professional Engineer who is licensed in over 30 states. Mr. Ebersole is also a Certified Fire and Explosion Investigator. Mr. Ebersole received his degree in Electrical Engineering from Drexel University. Mr. Ebersole is highly experienced in National Electric Code standards and investigates the electrical causes of fires, as well as providing training for fire marshals. Mr. Ebersole is a member

of the National Society of Professional Engineers, the Institute of Electrical and Electronics Engineers, National Association of Fire Investigators, and the National Fire Protection Association (NFPA), to name a few. Mr. Ebersole has inspected the subject room where the incident occurred, and has reviewed Defendants' discovery answers. Mr. Ebersole's opinions to be elicited at trial are included in his report, which is appended hereto as **Exhibit C**. Mr. Ebersole's curriculum vitae is also attached as **Exhibit D**.

C. Michael F. Seidemann, Ph.D.
Audiological Associates, Inc.
25 Madera Court
Kenner, LA 70065

Michael Seidemann, Ph.D. is the President of Audiological Associates, Inc. Dr. Seidemann received his undergraduate and Master's degree from Old Dominion University, and his Ph.D. in Audiology from Florida State University. Dr. Seidemann is certified in Clinical Competence in Audiology (C.C.C.), and holds active licenses as an audiologist in the States of Louisiana, Texas, Arkansas and Alabama. Dr. Seidemann is a member of the American Speech-Language-Hearing Association, and previously was a member of the Speech and Hearing Association of Virginia and the Florida Speech and Hearing Association. Dr. Seidemann taught for nearly twenty years at The Tulane University School of Medicine, Louisiana State University School of Medicine, and became the Director of the Hearing and Speech Department at Eye, Ear, Nose and Throat Hospital in New Orleans. Dr. Seidemann is highly regarded as an expert on

tinnitus and will offer his opinions to be elicited at trial in his report, which is appended hereto as **Exhibit E**. Dr. Seidemann's curriculum vitae is also attached as **Exhibit F**.

D. Daniel Henriques Coelho, M.D., F.A.C.S.
Virginia Commonwealth University
P.O. Box 980146
Richmond, VA 23298

Daniel H. Coelho, M.D., F.A.C.S. is a neurosurgeon with the Virginia Commonwealth University School of Medicine. Dr. Coelho received his medical degree from the State University of New York (SUNY), and completed an internship and his residency at Yale University School of Medicine. Dr. Coelho is a board-certified otolaryngologist, with a subspecialty certification in neurotology. Dr. Coelho has a number of academic appointments at Virginia Commonwealth University School of Medicine, currently as a Professor of Otolaryngology, and was previously appointed the G. Douglas Hayden Endowed Professorship in the Department of Otolaryngology at VCU. Dr. Coelho was also previously the Medical Director of the VCU Department of Aduilogy and Director of the Division of Otology/Neurotology at VCU. DR. Cohelho is currently a member of numerous scientific societies, including the American Otological Society, the American Cohlear Implant Alliance, American College of Surgeons, Medical Society of Virginia, Richmond Academy of Medicine, and Virginia Society of Otolaryngology. Dr. Coelho consulted when his colleague, Dr. Fang, during his treatment and is also a retained expert. Dr. Coelho's opinions to be elicited at trial are included in

his report, which is appended hereto as **Exhibit G**. Dr. Coelho's curriculum vitae is also attached as **Exhibit H**.

**2. DISCLOSURE OF EXPERT WITNESS TESTIMONY FOR TREATING
HEALTHCARE PROFESSIONALS NOT SPECIFICALLY RETAINED OR
EMPLOYED TO PROVIDE EXPERT TESTIMONY**

**E. Konstantina Stankovic, M.D., Ph.D., F.A.C.S.
Massachusetts Eye and Ear
243 Charles Street
Boston, MA 02114**

Konstantina Stankovic, M.D., Ph.D., F.A.C.S. received her medical degree at Harvard Medical School and Harvard-MIT Division of Health Sciences and Technology, as well as her Ph.D. in Speech and Hearing Bioscience and Technology, MIT and Harvard-MIT Division of Health Sciences and Technology. Dr. Stankovic is expected to testify on the subject matter of Dr. Fang's tinnitus due to his exposure to a loud fire alarm in October 2017. Dr. Stankovic may offer observations, diagnoses, and conclusions regarding Dr. Fang's medical status when she provided treatment to Dr. Fang on January 9, 2018. A summary of the facts and opinions to be elicited through Dr. Stankovic's testimony is as follows:

Dr. Fang presented to Massachusetts Eye and Ear on January 9, 2018 for an evaluation of tinnitus. Dr. Fang reported a sudden onset of tinnitus after exposure to a loud fire alarm, for approximately 5-10 min in late October 2017. Dr. Stankovic noted that Dr. Fang was treated with oral steroids without improvement. Dr. Stankovic further noted that Dr. Fang's ringing tinnitus is high-pitched, bilateral, and

constant, and that tinnitus affects his sleep and focus. Dr. Stankovic also noted that Dr. Fang noticed that on plane flights, his tinnitus tends to increase substantially, to the intensity of the fire alarm, and that Dr. Fang is depressed about the thought of the tinnitus being permanent. (See Bates Stamped records FANG 000180-000191).

Dr. Stankovic reviewed Dr. Fang's January 2, 2018 audiogram, and noted the following:

We have discussed options for management of his hearing loss, and these include hearing protection in noise, better communication strategies, assistive listening devices and amplification. If he wishes to pursue amplification he is medically cleared to do so. We have discussed our ongoing research on degeneration and regeneration of the inner ear.

We have discussed that asymmetric sensorineural hearing loss is typically evaluated with auditory brainstem evoked response testing or contrast enhanced brain MRI to assess for retrocochlear disease such as a vestibular schwannoma. We have discussed that the likelihood of a vestibular schwannoma is small given his normal word recognition bilaterally, and asymmetry hearing loss limited to low frequencies. In addition, he reports a normal head CT recently. He is not interested in brain MRI because he is concerned about possible exacerbation of his tinnitus due to a loud MRI machine. He may consider ABR testing closer to his home in Virginia.

We have discussed that his tinnitus is likely related to his sensorineural hearing loss. In addition, tinnitus can be exacerbated by stress and anxiety. Options for management include tinnitus retraining therapy, masking strategies and stress management if tinnitus is exacerbated by stress....we have also discussed that he may benefit from neuro-psychiatric consultation given the severity and chronicity of his tinnitus. Low-dose anti-depressants may help some patients with tinnitus.

F. Christina Eubanks, Ph.D., CCC-A
Virginia Commonwealth University
Nelson Clinic
401 N. 11th Street
Richmond, VA 23219

Christine Eubanks, Ph.D., CCC-A is the Director of Audiology and the Co-Director of Cochlear Implant Program at Virginia Commonwealth University Health System. Dr. Eubanks received her undergraduate degree at Boston University, her Master's Degree at Columbia University in Audiology, and her Ph.D. in Audiology at The University of Memphis. Dr. Eubanks specializes in the field of Audiology and Education of Children with Hearing Loss. Dr. may offer observations, diagnoses, and conclusions regarding Dr. Fang's medical status when she provided treatment to Dr. Fang on November 22, 2017. A summary of the facts and opinions to be elicited through Dr. Eubank's testimony is as follows:

Dr. Fang presented to Dr. Eubanks on November 22, 2017, at the suggestion of Dr. Daniel Coelho, for an evaluation of tinnitus. Dr. Eubanks noted that Dr. Fang's tinnitus occurred due to exposure to a loud fire alarm. Dr. Eubanks' findings indicated a "moderate symmetrical high-frequency sensorineural loss, with a conductive drop in the low frequencies of the right ear. Tympanometry showed reduced eardrum mobility bilaterally, with elevated acoustic reflexes in both ears." Dr. Eubanks stated in her November 22 report that "Patient notes that distraction and masking noise help with tinnitus" and that she discussed stress reduction and the use of maskers.

Dr. Fang returned to Dr. Eubanks for a second evaluation on January 2, 2018, after taking a course of steroids. Dr. Eubanks noted no change in hearing compared to her testing on November 22. (See Bates Stamped records, FANGVCURECS 000001-000012.)

**G. Bridgette Fowler, CCA
Virginia Commonwealth University
9109 Stony Point Drive
Richmond, VA 23235**

Bridgette Fowler is a Certified Clinical Audiologist. Ms. Fowler received her M.Ed. in Audiology from James Madison University. Ms. Fowler may offer observations, diagnoses, and conclusions regarding Dr. Fang's medical status when she provided treatment to Dr. Fang on February 13, 2018. A summary of the facts and opinions to be elicited through Ms. Fowler's testimony is as follows:

Dr. Fang presented to Ms. Fowler at the suggestion of Dr. Daniel Coelho on February 13, 2018 for an evaluation and treatment of a persistent and debilitating tinnitus. Dr. Fowler performed a diagnostic tinnitus examination. Ms. Fowler documented that Dr. Fang's tinnitus is constant and "noisy," that the fluctuation in loudness began approximately 3 months prior to her examination, and that he experiences symptoms of tinnitus in both ears. Ms. Fowler noted that Dr. Fang has experienced anxiety and depression since he began to experience tinnitus, and further, that he was briefly on Zoloft but stopped due to increased thoughts of suicide, and does not take antidepressants for his anxiety and depression. Ms. Fowler noted that Dr. Fang advised that he recently began to use TV as a background noise so that he could sleep. (See Bates Stamped

records FANGVCURECS 000013-0000124, 000069-000087.)

H. Amy R. Stevenson, M.S., CCC-A
Virginia Commonwealth University
401 N. 11th Street
Richmond, VA 23219

Bridgette Fowler is a Certified Clinical Audiologist. Ms. Fowler received her M.Ed. in Audiology from Towson State University. Ms. Fowler may offer observations, diagnoses, and conclusions regarding Dr. Fang's medical status when she provided treatment to Dr. Fang on November 1, 2019. A summary of the facts and opinions to be elicited through Ms. Stevenson's testimony is as follows:

Dr. Fang presented to Ms. Stevenson on November 1, 2019 for a tinnitus evaluation. Ms. Stevenson noted: "Tinnitus was matched for pitch and loudness at a 9000 Hz pure tone at 80 dB HL in the right ear and a 9000 Hz pure tone at 70 dB HL in the left ear. Patient declined residual inhibition testing at this time in fear it would increase his tinnitus. Based on patient's hyperacusis, he cannot benefit from a traditional tinnitus masker. After numerous doctor visits and tests, Dr. Fang has learned finally how to cope with the tinnitus and the hyperacusis *over* the past 2 years." (See Bates Stamped records FANGVCURECS 000272-000276.)

This 6th day of February, 2020.

Respectfully Submitted,
TZANN FANG, M.D.

By: /s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of February, 2020, the foregoing document was served via CM/ECF to the following counsel of record:

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